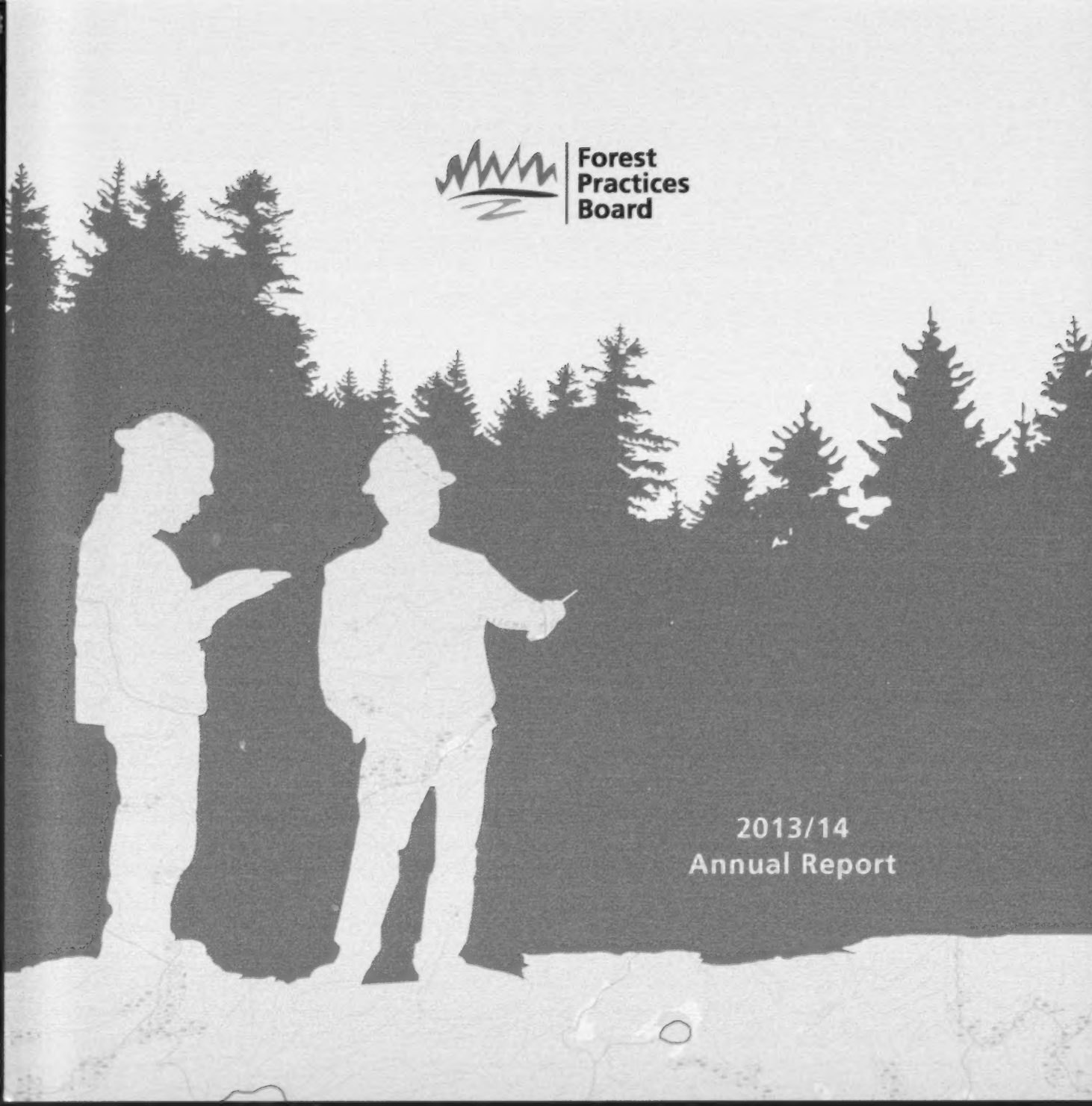
Forest
Practices
Board
2013/14
Annual Report

VISION

Forests that are managed to sustain the full range of forest values and forest resources for British Columbians.

MISSION

The Board serves the public interest as the independent watchdog for sound forest and range practices in British Columbia.

VALUES

THE BOARD:

- acts on behalf of the public's interest, not of any single group;
- is straightforward in its approach;
- emphasizes solutions over assigning blame;
- behaves in a non-adversarial, balanced manner;
- treats all people with respect, fairness and sensitivity;
- performs in a measured, unbiased and non-partisan manner;
- carries out its mandate with integrity and efficiency;
- provides clear and concise reports to the public;
- bases actions and decisions on knowledge, experience and common sense; and
- is accessible and accountable.

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CHAIR'S MESSAGE

The Forest Practices Board prepares annual reports to inform the BC public of what we do, what we have done and what we have found over the past year. While each Board report produced during the year is a stand-alone comment on the state of forest and range practices, it is the rolling up of all that work into an annual report that really provides the public with an independent, fact-based assessment of how well BC is doing in achieving sound forest practices and forest stewardship.

Though the Board's oversight mandate is limited to forest and range practices legislation, which encompasses mostly industrial forestry and range activities, on occasion it has the opportunity to report on other major land uses such as transmission lines, hydro-electric development and oil and gas exploration. The Board welcomes the opportunity to provide public oversight on other land uses that affect forest resources.

In 2013, the Board began preparing a special report on the 10-year-old *Forest and Range Practices Act* (FRPA), the key piece of legislation governing forest and range activities on BC's public land, and how well it is working. Early observations indicate there is room for improvement in areas, such as government objectives, FRPA plans, practice requirements, professional reliance and effectiveness feedback loops. To support this report, the Board produced a series of bulletins that highlight key FRPA issues, such as public involvement in forest planning, professional reliance, the role of oversight and managing cumulative effects. These bulletins are designed to stimulate discussion and provide contextual support to the Board report on FRPA.

The Board continues to see consistent compliance with forest practice law by major licensees—the large public and private forest companies that hold long-term timber tenures. However, there are lingering areas of improvement that require attention, such as those identified in the Board's special report on bridge planning, design and construction. As well, while audits of the BC Timber Sales program continue to demonstrate improved compliance by the program staff, many areas of improvement still remain on the licensee side. In general, the Board has found that smaller licensees tend to have more compliance problems, as these licensees typically do not yet have management systems in place to aid in achieving compliance.

The Board's work on timber harvesting in beetle-affected areas highlighted that, in some areas of the BC interior, the salvage of beetle-killed timber is beginning to decrease and the move to green timber harvesting is drawing closer. This will be a very challenging time

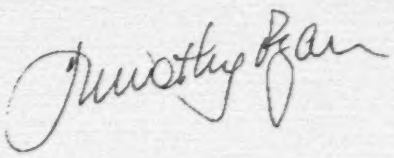
in terms of providing timber supply while managing cumulative impacts on the landscape; addressing the interests of other resource users; managing for endangered species, features and ecosystems; and the efficacy of FRPA.

In 2014/15 the Board will continue to monitor and report on forest practices results in order to:

- ensure compliance with forest legislation because it's the law;
- push for improvements in forest legislation because we must; and
- foster leadership through identification of innovative practices in forest management.

I have spent the first five months in my role as Board Chair meeting with the many stakeholders and individuals whose work and interests intersect with those of the Board, including representatives from government, industry, First Nations, environmental organizations, professional associations and more. I have been impressed to see that government and industry use the Board's work to improve forest legislation, policy and practices, as well as to inform markets. Local, regional, national and international parties and professionals also reference and value the Board's work.

I am proud to say the Forest Practices Board continues to be viewed as an independent, credible and relevant organization. The challenge for Board members, our dedicated staff and me is how we will continue to add value to our oversight work, drive improvements and find solutions. Your comments, suggestions and concerns are always appreciated.



Timothy S. Ryan, RPF
Chair

WHAT WE DO

Conducting audits and special investigations and publishing independent public reports.

The Board provides the public with objective information about the state of forest and range practices, validates sound practices and recommends improvements based on direct field observation, consultation and research.

Conducting complaint investigations and administrative appeals.

The Board provides a venue to address public complaints regarding forest and range practices.

Core business areas arise from the Board's legislated mandate. The *Forest and Range Practices Act* and the *Wildfire Act* state that the Board:

- must carry out periodic independent audits to determine compliance and the appropriateness of government enforcement;
- may carry out special investigations;
- may make a special report and comment publicly;
- must deal with complaints from the public; and
- may undertake appeals.

Functions are performed by professional staff and contractors under the guidance of the independent Board.

AUDITS

One of the main ways the Board gathers information is through its random, field-based audits.

Audits can be:

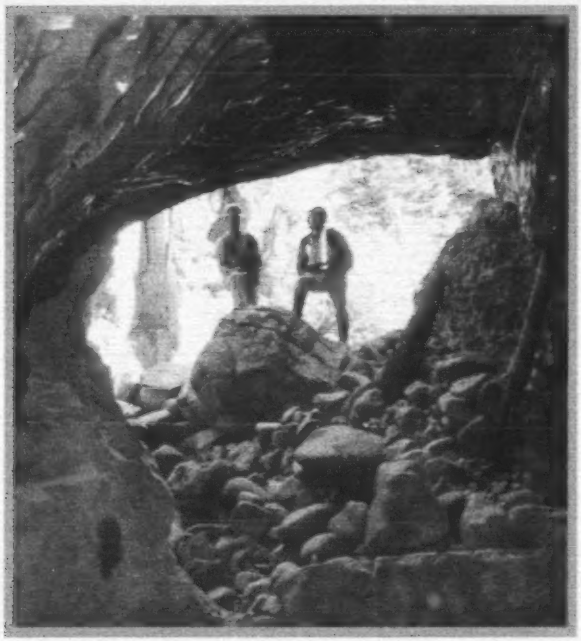
- limited scope compliance (specific areas or practices);
- full scope compliance;
- enforcement-based; or
- they can examine any aspect or combination of aspects of forest practice.

The results of audits are published in public reports. Audits examine and provide assurance on whether forest practices are achieving government's legislative requirements.

COMPLAINTS

The Board can investigate complaints related to forest and range activities occurring on Crown land, such as planning; practices; protection of resources, including recreational; and licensee compliance with government enforcement of legislation. It cannot deal with complaints related to private property (except in tree farm licences and woodlots), awarding of licences or other forest related legislation.

The Board investigates, reports and makes recommendations—it has no power to direct companies, individuals or government agencies to carry out any actions, though Board reports are considered to be directional by policy makers. If a complainant requires direct action, he or she must take their concern to the responsible organization or agency first; the Board's role is more one of investigation, assessment and problem solving after other avenues have been explored. Board staff may, however, be able to help with identifying agencies or companies relevant to specific concerns, as they have comprehensive knowledge of those involved in forestry and range use and management.



SPECIAL PROJECTS

Special investigations are conducted by the Board to deal with resource management-related matters that are of interest to the province as a whole, as opposed to audits and complaints which are more targeted.

Special reports are issued by the Board when we wish to comment publicly on a matter, or if it's been determined that an in-depth special investigation is not necessary.

APPEALS

The Board can appeal decisions made by government officials, such as determinations of noncompliance, penalties or approvals of plans for forestry or range operations. Appeals can either be generated by public request or initiated by the Board, which is charged with being an advocate for the public interest and can put forward a position on the matter. The Board can also become party to appeals launched by others (such as licensees) in order to make submissions on the case.

Appeals are made to the independent Forest Appeals Commission. The Commission makes the final decision on appeals and those determinations are legally binding.

THE BOARD

This year marked a significant change to the composition of the Board. Chair Al Gorley completed his term in December, as did part-time board member and Vice-Chair, Dr. Rachel Holt.

Timothy Ryan was appointed Chair on December 20 and the new Vice-Chair is Dr. William McGill. Currently the Board consists of seven members:

[back row, left to right]

William Dumont (RPF), Ralph Archibald, Tim Ryan (RPF) Chair, Dave Patterson (RPF)

[front row, left to right]

Andrea Lyall (RPF), Dr. William McGill (P.Ag.) Vice-Chair, Michael Nash

AUDITS

SUMMARY OF AUDIT RESULTS

ACTIVITIES AUDITED IN THE FIELD

ACTIVITY	POPULATION	SAMPLED
Harvesting (# of blocks)	314	258
Road Construction (km)	538	376
Road Deactivation (km)	90	46
Road Maintenance (km)	4,233	2,128
Bridge Construction (# of bridges)	16	13
Bridge Maintenance (# of bridges)	466	253
Silviculture – Free Growing (# of blocks)	398	144
Silviculture – Regeneration Due (# of blocks)	313	112
Silviculture – Planting (# of blocks)	298	169
Silviculture – Site Preparation (# of blocks)	107	28
Fire Protection (# of active sites)	15	15

AUDIT RECOMMENDATIONS MADE / RESPONSES

AUDIT OF FOREST PLANNING AND PRACTICES – FORT JAMES DISTRICT – WOODLOT LICENCES W0295 AND W1893

Recommendation made: *The Board requested that both licensees report back to the Board by December 31, 2012, on progress in reporting information for current and past activities to government, in accordance with regulatory requirements.*

Response received: *On June 7, 2013, the Board received an update from a consultant hired by the woodlot licensees to bring the woodlot reporting into compliance. Board staff reviewed the submission and found it substantively addressed the Board's request to remediate reporting deficiencies.*

AUDIT OF FOREST PLANNING AND PRACTICES – SOUTH ISLAND DISTRICT WOODLOT – WOODLOT LICENCE W1632

Recommendation made: *The Board requests that Halalt First Nation report back to the Board by April 30, 2014, on the progress made in reporting the required information on current and past activities to government.*

Response received: *Response not due as of March 31, 2014.*

LEGEND	☑ *in compliance*
	☒ ***non-compliance***
	☐ *requiring improvement*

AUDIT OF FOREST PLANNING AND PRACTICES – SOUTH ISLAND DISTRICT WOODLOT – WOODLOT LICENCE W0033

Recommendation made: *The Board requests that Penelakut First Nation report back to the Board by April 30, 2014, on the progress made in reporting the required information on current and past activities to government.*

Response received: *Response not due as of March 31, 2014.*

AUDITS COMPLETED

AUDIT OF FOREST PLANNING AND PRACTICES – CASSIAR FOREST CORPORATION – FOREST LICENCE A64561 AND COAST MOUNTAIN HYDRO CORPORATION – OCCUPANT LICENCES TO CUT L46959, L49021 & L49136

Findings: The audit found the planning and forest activities undertaken by Cassiar Forest Corporation complied with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations, though some minor soil disturbance was noted—an area requiring improvement.

☐ *One area requiring improvement*

The audit also found the planning and forest activities undertaken by Coast Mountain Hydro Corporation complied with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations.

☑ *All practices were in compliance*

AUDIT OF FOREST PLANNING AND PRACTICES – MCBRIDE COMMUNITY FOREST CORPORATION – COMMUNITY FOREST AGREEMENT K1H

Findings: The audit of planning and forestry activities undertaken by McBride Community Forest Corporation (MCFC) identified four significant non-compliances with respect to operational planning, road construction and silviculture, and one opportunity for improvement relating to silviculture obligations.

Significant non-compliances:

- Operational planning relating to road locations not being included on site plan maps.
- Road construction involving a poorly-constructed road.
- Unauthorized use of roads.
- Lack of silviculture reporting to government.

Area requiring improvement:

- Maintaining accurate silviculture information for cutblocks where MCFC has obligations.

☒☒☒☒ ***Four significant non-compliances***

☐ *One area requiring improvement*

FORESTRY AUDIT: BC TIMBER SALES AND TIMBER SALE LICENCE HOLDERS – STUART-NECHAKO BUSINESS AREA

Findings: Auditors found that planning and field activities undertaken by BCTS complied in all significant respects with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations. Auditors found that, with one exception, planning and field practices undertaken by TSL holders complied in all significant respects with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations.

- A TSL holder installed a log culvert to cross a fish-bearing stream that did not meet the design requirements, which is a significant non-compliance.

☒ ***One significant non-compliance***

AUDIT OF FIRE PROTECTION PRACTICES – BRITISH COLUMBIA HYDRO AND POWER AUTHORITY – OCCUPANT LICENCES TO CUT L48655, L48700, L48750, L48751

Findings: The audit found that fire protection activities undertaken by BC Hydro and contractors complied with the requirements of the *Wildfire Act* and related regulations. BC Hydro addressed fire preparedness, and all hazard assessment and abatement obligations were completed prior to the field audit.

☑ *All practices were in compliance*

AUDIT OF FOREST PLANNING AND PRACTICES – SOUTH ISLAND DISTRICT WOODLOTS – WOODLOT LICENCES W0011, W0020, W1479, W1526, W1713, W1902, W1903, W1906

Findings: The audit found the planning and forest activities carried out under woodlot licences W0011, W0020, W1479, W1526, W1713, W1902, W1903 and W1906 complied with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations.

☑ *All practices were in compliance*

AUDIT OF FOREST PLANNING AND PRACTICES – SOUTH ISLAND DISTRICT WOODLOT – WOODLOT LICENCE W1632

Findings: The audit found that, with one exception, the planning and field activities undertaken by Halalt First Nation on W1632 complied in all significant respects with the requirements of the *Forest and Range Practices Act,* the *Wildfire Act* and related regulations. The licensee failed to comply with legislated requirements to submit information annually regarding the area harvested, as well as statistics about silviculture activities, and this was a significant non-compliance.

☒ ***One significant non-compliance***

AUDIT OF FOREST PLANNING AND PRACTICES – SOUTH ISLAND DISTRICT WOODLOT – WOODLOT LICENCE W0033

Findings: The audit found that, with two exceptions, planning and field activities undertaken by the Penelakut First Nation on W0033 complied in all significant respects with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations. However, the audit identified two significant non-compliances relating to bridge construction and annual reporting requirements.

Significant non-compliances:

- The licensee installed and used a bridge that was not considered safe for industrial users—the stringers were not properly lashed or pinned to the substructure and there were no guard rails.
- The licensee failed to comply with legislated requirements to submit information annually regarding the area harvested, as well as statistics about silviculture activities.

☒☒ ***Two significant non-compliances***

AUDIT OF FOREST PLANNING AND PRACTICES – WESTERN FOREST PRODUCTS INC. – TREE FARM LICENCE 39 – BLOCK 1

Findings: The audit found that planning and forest activities undertaken by Western Forest Products Inc. on TFL 39 Block 1 complied with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations.

☑ *All practices were in compliance*

AUDIT OF FOREST PLANNING AND PRACTICES – NDAZKHOT'EN FOREST MANAGEMENT LTD. – FOREST LICENCES A65926 AND A81934

Findings: The audit found that planning and forestry activities undertaken by Ndazkhot'en Forest Management Ltd. on FL A65926 and FL A81934 complied with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations.

☑ *All practices were in compliance*

AUDIT OF FOREST PLANNING AND PRACTICES – KA-BAR RESOURCES LIMITED – FORESTRY LICENCES TO CUT A83972, A83973, A85053, A88604, A88605, A88606, A88607, A88608, A88609, A88610

Findings: The audit found the forestry activities undertaken by Ka-Bar complied with the requirements of the *Forest and Range Practices Act,* the *Wildfire Act* and related regulations.

☑ *All practices were in compliance*

FORESTRY AUDIT BC TIMBER SALES AND TIMBER SALE LICENCE HOLDERS – SKEENA BUSINESS AREA

Findings: Auditors found that planning and field activities undertaken by BCTS complied in all significant respects with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations.

Auditors found that, with one exception, planning and field practices undertaken by TSL holders complied in all significant respects with the requirements of the *Forest and Range Practices Act*, *Wildfire Act* and related regulations. However, auditors identified a significant non-compliance involving a poorly deactivated winter road that resulted in failure to maintain natural drainage patterns.

☒ ***One significant non-compliance***

FORESTRY AUDIT BC TIMBER SALES AND TIMBER SALE LICENCE HOLDERS – PRINCE GEORGE BUSINESS AREA

Findings: The audit found that the planning and field activities undertaken by BCTS complied in all significant respects with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations.

The audit found that, with two exceptions, planning and field activities undertaken by TSL holders complied in all significant respects with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations.

- Auditors found that a constructed bridge did not follow the design and was not safe for industrial users.
- A TSL holder was actively harvesting without an adequate fire suppression system in place during a period when activities were restricted due to the high forest fire risk.

☒☒ ***Two significant non-compliances***

NEW AUDITS STARTED

(NOT COMPLETED AT MARCH 31, 2014)

Mackenzie Fibre Management Corporation - Forestry Licence to Cut A87345

Compliance audit of forest planning and practices.

Audit of Non-Replaceable Forest Licence A66762 Burns Lake Specialty Wood Ltd.

Compliance audit of forest planning and practices.

Audit of Non-Replaceable Forest Licence A72921 639881 BC Ltd.

Compliance audit of forest planning and practices.

COMPLAINTS

73 concerns received, responded to and closed

* this number does not include concerns that became formal complaints

2 new complaints received & under investigation

6 complaint investigations completed and reports published

CONCERNS

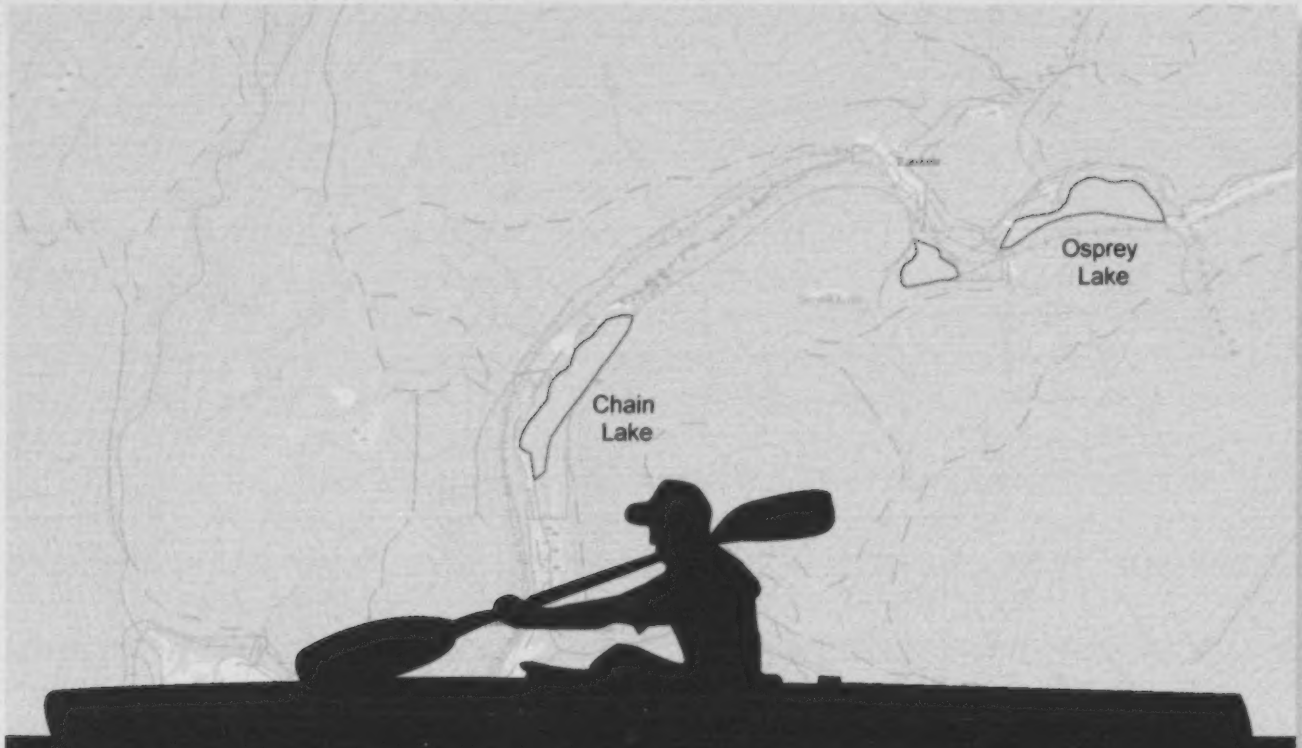
Although concerns do not involve formal investigations, the board takes concerns seriously and puts considerable effort into trying to resolve matters. Two of the 73 concerns addressed this year are highlighted here.

HORN CREEK CONCERN

The Board was contacted by a resident in the Twin Lakes area near Penticton with two concerns. The first was that water was being diverted from its natural flow into Twin Lakes because of plugged culverts on private land. The second was that a plugged culvert on the Horn Creek Forest Service Road was causing road erosion and making travel difficult. The resident wanted to file a complaint.

The first issue—about plugged culverts on private land—was not within the Board's jurisdiction, so the Board referred the resident to the Ministry of Transportation (MOT), which had authority over a right-of-way on the property. MOT met with the landowner and subsequently the culvert was removed, allowing water to remain in the natural channel during peak flows.

To resolve the second issue, the Board contacted the Ministry of Forests, Lands and Natural Resource Operations and determined that no forest licensee was actively hauling timber on the forest service road, therefore the road needed only to be maintained to a 'wilderness road' standard and normal road maintenance requirements did not apply. The Board's efforts resulted in the resident working with the ministry to discuss maintenance and annual monitoring of the culverts and she chose not to file a complaint.



CHAIN LAKES CONCERN

A seasonal resident on a lake near Princeton was concerned that residents were not consulted about harvesting (and associated visual impacts) from a small scale salvage operation. The resident said the licensee did not follow visual quality objectives (VQOs) or lakeshore management zone requirements for the area and that harvesting occurred in a recreation site.

The Board talked to the licensee and staff of the Ministry of Forests, Lands and Natural Resource Operations and reviewed several documents, including the forest licence to cut and the site plan, and found that there had been extensive communication between the licensee and the community, and that the resident likely missed seeing the public notices. Also, the licensee obtained an exemption from the VQOs because its operation was primarily for beetle salvage. The investigator advised the resident of this and explained that the lakeshore management zone was no longer in effect, but harvesting was outside of the zone and the licensee was permitted to continue harvesting within the recreation site. Following the explanation from the Board investigator, the resident was satisfied and did not follow through with a formal complaint.

COMPLAINT INVESTIGATIONS COMPLETED

TYAUGHTON LAKE LOGGING CLOSING LETTER

A resident of Tyaughton Lake, near Lillooet, complained about the visual impacts of logging in the vicinity and the lack of public consultation from the licensee.

The licensee had conducted a visual impact assessment, consistent with a commitment in its forest stewardship plan. In response to concerns from local residents, the Ministry of Forests, Lands and Natural Resource Operations regional landscape forester reviewed the assessment and found the methodology to be sound. Most local residents were satisfied with the subsequent results from logging.

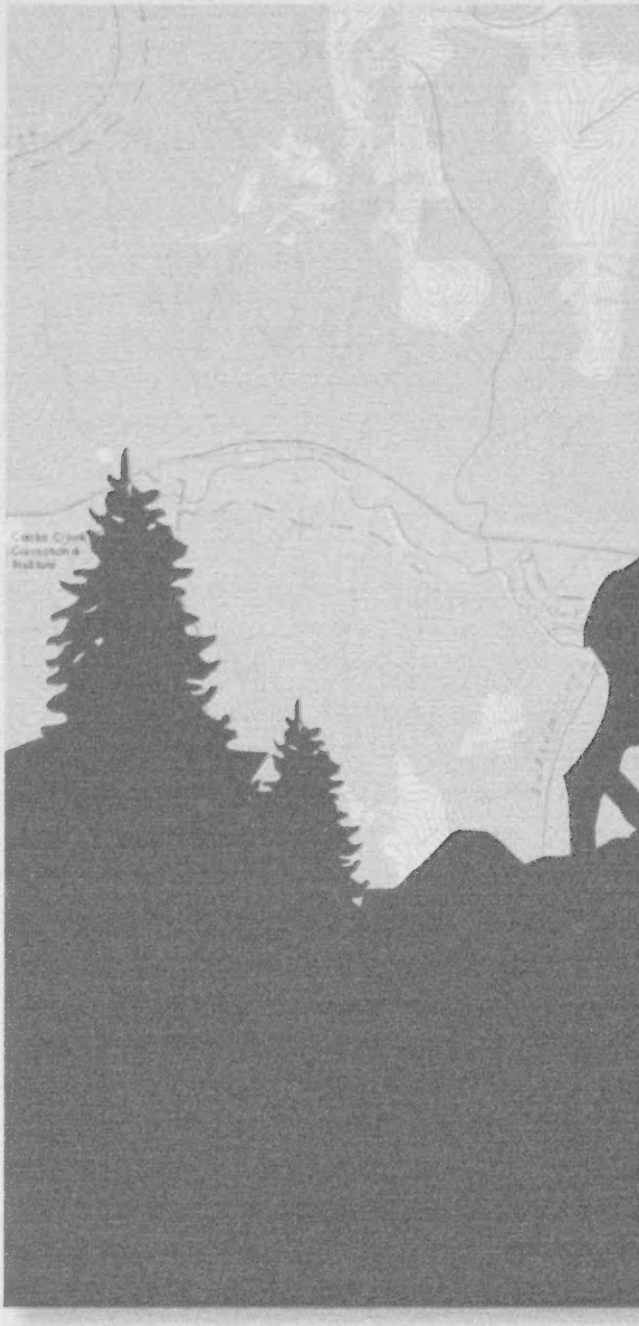
Although communication was not effective in the early stages of the forest development, it improved over time. As concern among the local residents mounted, they formed a Ratepayers Association. The licensee then had ongoing communication, including field trips, with this group.

This case highlighted the need for licensees to start public communications early in the planning process, prior to doing field layout.

BERNSTOFF SPRING CLOSING LETTER

A resident 15 kilometres north of Penticton complained that livestock use of a small pasture was contaminating a spring providing domestic drinking water. In addition, the complainant was concerned that new fencing was restricting public access to Crown land and that the pasture was being overgrazed.

The Board found no evidence of overgrazing on the pasture, noting that fencing does not prevent public access to Crown Land and that, subsequent to the new fencing and the installation of a water trough, there were no signs of livestock contaminating the spring.

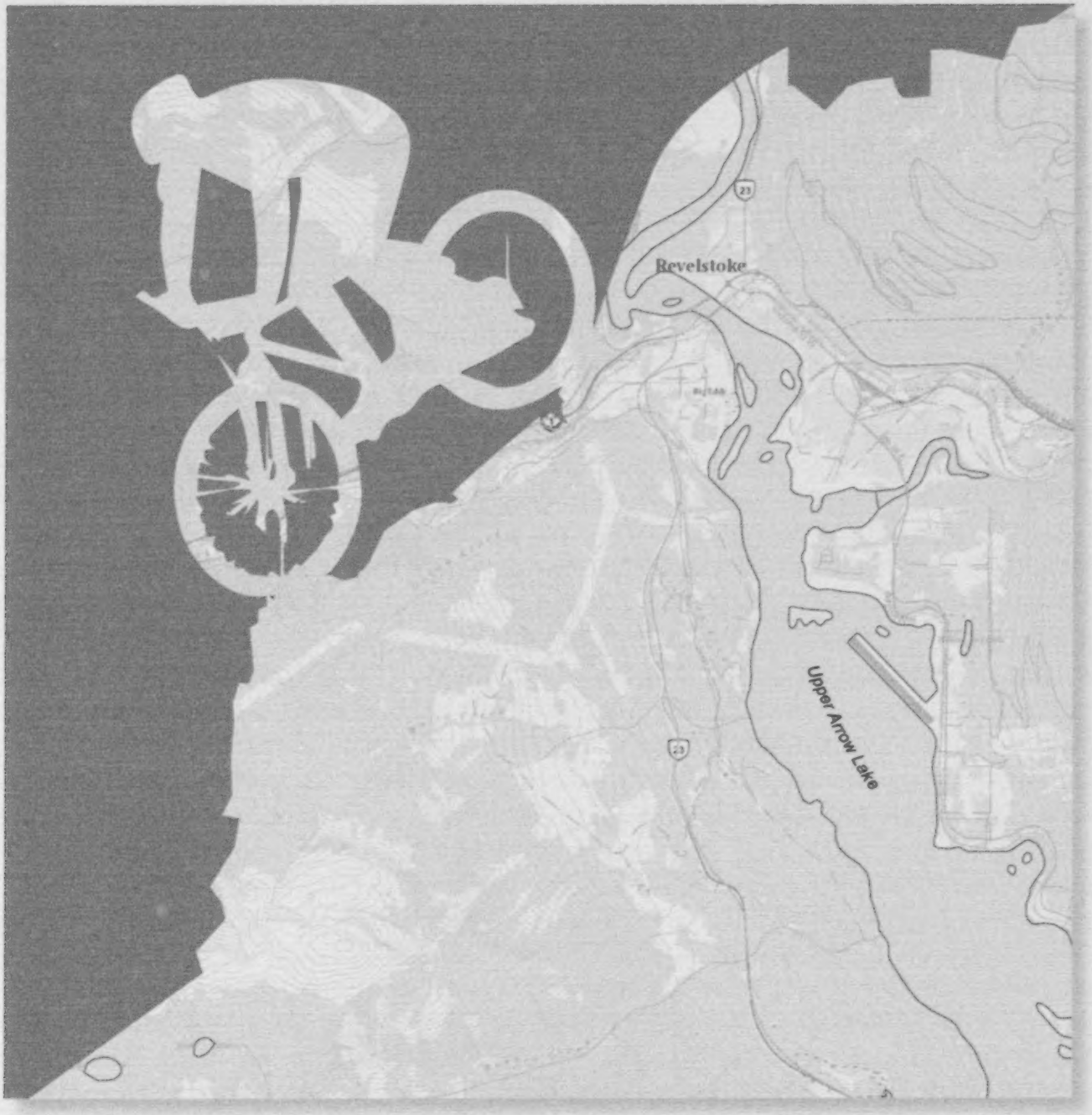


LOGGING NEAR HABITAT FOR MOUNTAIN GOATS AND SPOTTED OWL IN THE CHILLIWACK VALLEY

Residents of the Post Creek Subdivision in the Chilliwack River Valley complained that a local licensee harvested timber, potentially impacting both goats and spotted owl. This was the second of two complaints that the Board investigated in this area.

The area around Post Creek presents challenges for timber harvesting for several reasons: it is adjacent to a rural/residential community, it is close to a provincial park, it is down-slope from designated mountain goat winter range and it is within a designated habitat area for one of Canada's most endangered species, the spotted owl.

The Board found that, while the planning and the harvesting conducted by the licensee were consistent with both legal requirements and government policies, public consultation was inadequate. Local residents were not informed early in the process, and the rationale for changes to previous commitments was poorly explained. The resulting lack of public confidence will be challenging to overcome.


Revelstoke
23
23
Upper Arrow Lake

FOREST PLANNING AND DEVELOPMENT NEAR BEGBIE FALLS

A director of the Regional District of Columbia Shushwap complained that proposed harvesting in an area south of Revelstoke was not consistent with the twenty-year-old Begbie Falls Integrated Resources Plan (BFIRP) for that area. The Board looked at the adequacy of consultation by the licensee, and whether practices were consistent with BFIRP.

The Board found that, as an old plan, there were no legal obligations to follow BFIRP. Subsequent land use plans and legislation effectively replaced and updated many of the practice requirements in the old plan. The licensee maintained commitments to some BFIRP practices until it amended the forest stewardship plan (FSP) to remove these commitments in 2012. However, the Board also found that consultation by the licensee was inadequate, since the licensee did not directly notify the remaining BFIRP planning committee participants to explain the FSP amendment.

This case highlighted the issue of old plans that have no legal status creating local expectations.

The Board believes that changing a previously agreed-upon management approach without engaging plan participants—even for sound reasons—risks breaking public trust and potentially losing local social licence. The Board also believes government should work with licensees and other plan signatories to either rescind these dated plans or bring them into existing planning processes.

The response to this report has been excellent. We received positive feedback on the Board's findings and conclusions from a variety of people. This report really struck a chord with local communities who are feeling left out of resource decisions, either by the provincial government or forestry licensees. It also highlights the issue of local resource plans that were prepared over the last two decades, some of which are now dated and in need of updates or cancellation. The licensee in this case has responded positively to the investigation findings and we sincerely hope our involvement leads to better communication and relationships in the community. Whenever we investigate a complaint, our first priority is to help those involved find ways to work together to address concerns and develop a good relationship. However, we also strive to find the learning that we can all take away from the particular circumstance and share that broadly to foster continuing improvements in forest management.

HARVEST PLANNING AND PRACTICES IN THE HUNAKER CREEK WATERSHED

A local resident complained that a BCTS logging operation in the Hunaker Creek watershed near Smithers had affected the flow of a seasonal stream, which in turn caused damage to the complainant's property. The complainant also asserted that the logging operations led to contamination of a well and that BCTS's public consultation efforts were inadequate, both for harvest planning and for notification about burning waste wood piles.

The Board concluded that BCTS and the TSL holder had complied with all pertinent legislation and that the planning and practices were reasonable in addressing potential hydrological impacts. The Board found that, while logging likely contributed to increased peak flows in Hunaker Creek, there were other factors that also contributed to the watershed conditions experienced by the complainant.

The Board found that, while there has been considerable improvement in the consultation efforts regarding forest operations relating to this cutblock, overall effectiveness was poor because of sparse communication both at the planning stage and prior to the TSL holder burning debris piles. In this case, considering the scale of the forest operations and the adjacency to rural homes, the Board concluded that earlier and more intensive consultation efforts would have been beneficial.

HARVESTING NEAR A RECREATIONAL TRAIL ON THE SUNSHINE COAST

A local resident and hiker complained to the Board that Western Forest Products Inc. is not maintaining the integrity of the Sunshine Coast Trail near Powell River when harvesting close to it. The complainant asserted that buffers were not protecting visual quality or preventing trees from blowing down onto the trail.

The Board investigated and concluded that the licensee was complying with management principles established by government to direct activities near the trail. In addition, the Board found the licensee provided maps to the public on a regular basis showing proposed harvest areas near the trail and conducted field reviews for these blocks with the Powell River Parks and Wilderness Society.

The Board believes the management principles for activities near the trail have not been in place long enough to warrant a review of management direction and that any future reviews should be done within the context of a strategic land use planning process where all benefits and costs can be properly evaluated.

As a result of this complaint investigation, the licensee has recognized that they need to strengthen relationships within the communities where they operate. They have initiated an ongoing dialogue with the Regional District to better understand their desires regarding recreation and other land uses within the working forest near Powell River. The licensee has also put a regional strategy into place to improve communication with the public in their operating areas. The strategy aims to inform the public about the company, what they do in the working forest, why they do it, and to improve awareness and understanding. They are also encouraging public recreation in the forests where they operate. Initiatives include partnerships, trail signage and recreation maps.

NEW COMPLAINTS RECEIVED

PROPOSED HARVESTING UPSLOPE OF RECREATION CABINS ALONG EAST SHUSWAP LAKE

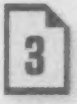
Complaint that proposed harvesting and road construction pose an unacceptable landslide risk for people, property and water quality.

PROPOSED LOGGING ON A WOODLOT NEAR PEMBERTON

Complaint that proposed harvesting and road construction will affect seasonable springs, pose risks to people and properties from falling rock, and reduce property values due to visual impacts. The Board stopped the investigation when the woodlot licensee decided to defer harvesting, likely until 2019 or later, providing more time to conduct further assessment work.

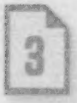
SPECIAL PROJECTS

SPECIAL PROJECTS COMPLETED



SPECIAL INVESTIGATIONS COMPLETED AND PUBLISHED

SPECIAL REPORTS COMPLETED AND PUBLISHED



NEW SPECIAL INVESTIGATIONS STARTED

NEW SPECIAL REPORT STARTED

MANAGEMENT OF KARST RESOURCE FEATURES ON NORTHERN VANCOUVER ISLAND

The Board carried out this investigation to assess the effectiveness of forest practices in protecting karst resources on northern Vancouver Island. In March 2007, government issued an order (the Order) under the *Government Actions Regulation* that forestry activities not damage, or render ineffective, karst resource features, as defined in the Order.

The investigation did not determine that any caves or significant karst features were damaged or rendered ineffective by forestry activities. However, investigators were only able to assess the portions of karst terrain that were readily visible; they did not assess the subterranean portions.

The Board found that the guidelines set out in two karst management guidance documents—including the best management practices—were usually not followed, and noted inconsistency with karst assessments and management strategies. The Board acknowledges that forest management on karst terrain can be challenging, due to identified surface karst features being only a small part of the karst terrain as a whole; and that this is further complicated by legislation that only focuses on caves and very specific karst features. Since much of the karst terrain cannot easily be assessed, the Board believes it is important that forest professionals take a cautious approach when addressing karst features and utilize karst specialists and the best available information when assessing karst features and prescribing management strategies.

MONITORING LICENSEES' COMPLIANCE WITH LEGISLATION

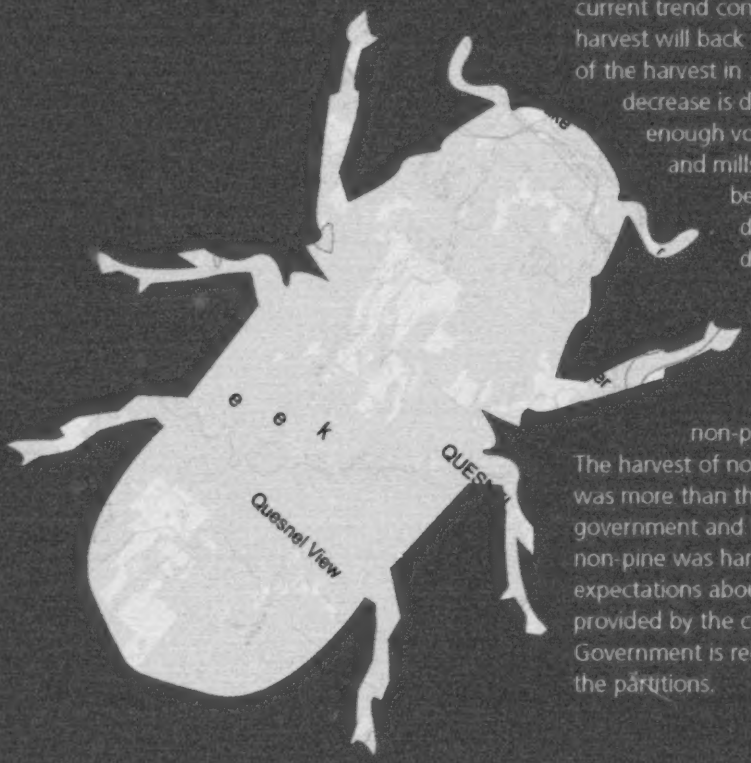
Planning and practice requirements of the *Forest and Range Practices Act* and the *Wildfire Act* are the minimum legal requirements for forest and range activities on public land in British Columbia. The government inspects licensees' forest and range activities for compliance with these requirements and may take enforcement action for non-compliance. This helps to hold licensees accountable and provides an indication that the legislation is working.

In this report, the Board looked at the extent to which government still inspects forest and range activities. It found the number of inspections of forest and range activities for the year ending March 31, 2012, to be a third of the number carried out three years earlier. Inspections decreased for a variety of reasons, one of which was the 2010 consolidation of natural resource ministries that now sees fewer natural resource officers inspecting a much greater number and type of activities on Crown land. For example they now inspect dams, recreation activities, illegal structures like cabins and docks, litter, open burning, etc.

The Board recommended improvements to how the government records and reports industry compliance. Government needs to demonstrate that it is carrying out enough inspections to adequately monitor compliance with legislation, or public confidence will be diminished.

TIMBER HARVESTING IN BEETLE-AFFECTED AREAS – IS IT MEETING GOVERNMENT'S EXPECTATIONS?

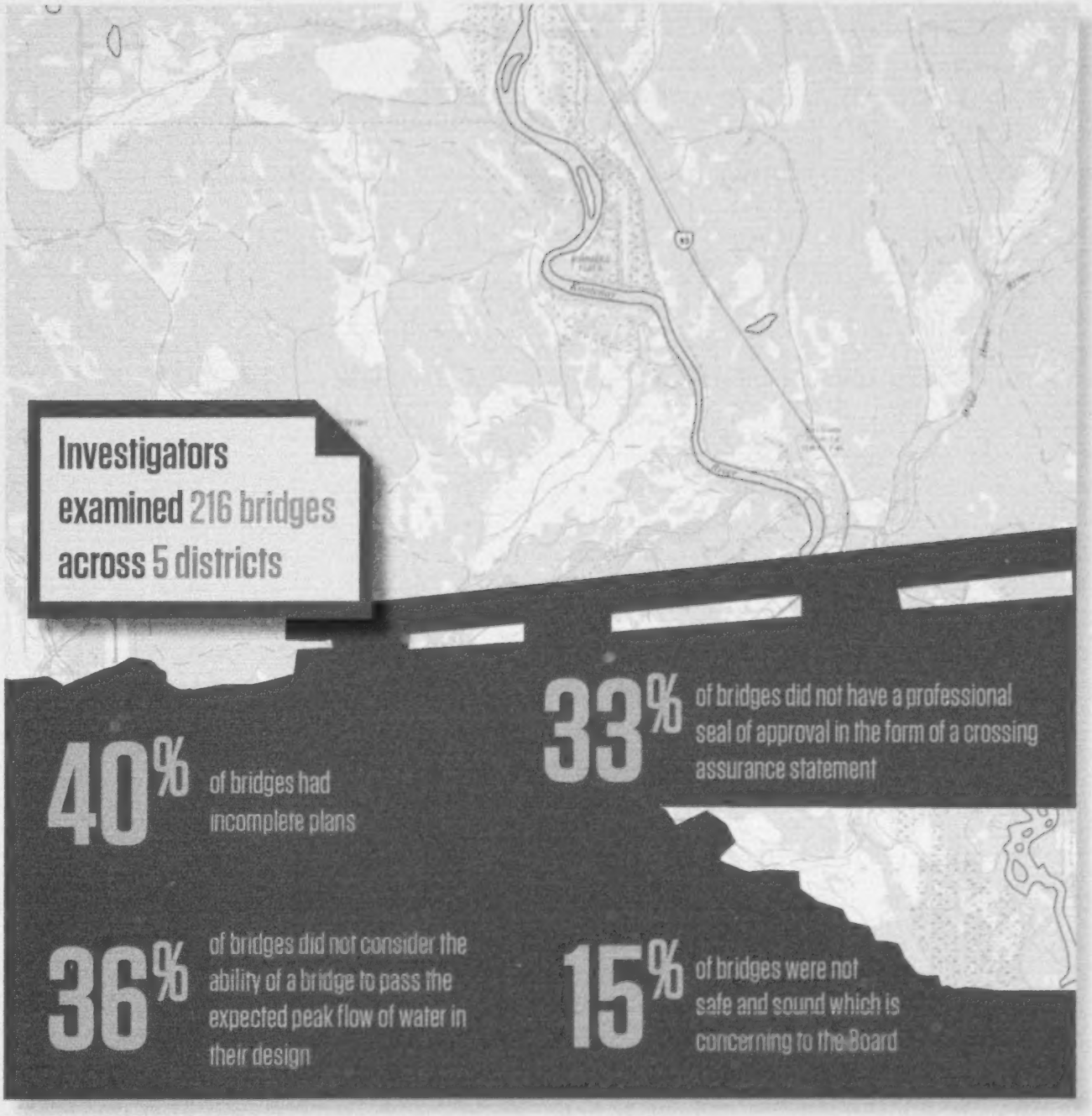
The mountain pine beetle epidemic in BC's interior will result in the mid-term timber supply being much lower than was projected prior to the epidemic. To minimize the decrease government has expressed a general expectation that the forest industry should, in the short-term, maximize the harvest of pine trees—in particular, dead pine—and minimize the harvest of non-pine trees, saving those trees for the mid-term.



The Board examined government's records of harvesting, over the entire MPB affected area since the epidemic began in 2000. The Board found that, in general, the forest industry has focused its harvesting in a way that meets government's expectations.

However, the Board is concerned that the percentage of pine in the harvest peaked in 2009 and has decreased steadily since, indicating that the forest industry is losing its focus on pine harvest. If the current trend continues, the percentage of pine in the harvest will back to pre-epidemic levels of 45 percent of the harvest in 3 or 4 years. A likely reason for the decrease is difficulty finding pine stands with high enough volume and close enough to roads and mills. Many of those stands have already been harvested and the quality of the dead pine in the remaining stands is deteriorating rapidly.

In eight beetle-affected timber supply areas government has expressed a specific expectation about the maximum amount of non-pine trees that should be harvested. The harvest of non-pine in those areas last year was more than the maximum amount expected by government and in two of the areas, much more non-pine was harvested that was expected. The expectations about the non-pine harvest are guidance provided by the chief forester and have no legal effect. Government is relying on forest managers to respect the parutions.


Investigators examined 216 bridges across 5 districts
40% of bridges had incomplete plans
33% of bridges did not have a professional seal of approval in the form of a crossing assurance statement
36% of bridges did not consider the ability of a bridge to pass the expected peak flow of water in their design
15% of bridges were not safe and sound which is concerning to the Board

BRIDGE PLANNING, DESIGN AND CONSTRUCTION

This investigation looked at whether new bridges were safe for industrial use and whether forest resources such as water, soil and fish were being protected. Investigators examined 216 bridges across 5 districts, finding that a significant number of professionals and licensees were not following legislation and professional guidance when designing, installing and approving bridges used for forestry activities.

Investigators did find, however, that compliance with planning requirements; protecting the environment when installing bridges; maintaining natural surface drainage; protecting banks and channels; controlling sediment; and maintaining fish passage were above average for bridges built on forest service roads by either government, BC Timber Sales or major licensees.

Immediately after the release of this report, the Minister of Forests, Lands and Natural Resources requested a 60-day action plan from industry and the forestry and engineering professional associations to address the safety issues. Industry has responded and is conducting assessments of bridges on all active forestry roads across the province (the investigation only examined bridges in 5 of the 24 districts). The professional associations are working with industry to ensure all parties are aware of the issues found, the professional guidance and the roles and responsibilities of all parties to ensure bridges are compliant and safe for use.

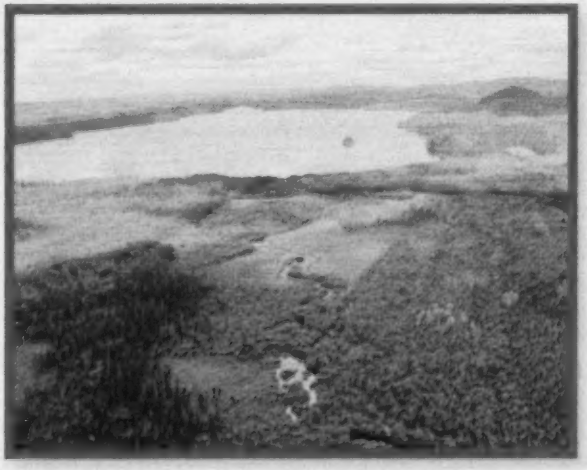
Board staff presented the results of the investigation to the ABCFP/APEG BC Joint Practices Board, Ministry of Forests Lands and Natural Resource Operations engineering staff, the ministry's Forest and Range Evaluation Program staff, and at a Resource Roads Conference in Nelson. The presentation was also recorded for on-line viewing in the government's E-learning library.

BULLETINS PUBLISHED

The Board occasionally publishes bulletins describing important issues for forest management identified in recent Board work. These bulletins are intended to foster discussion and encourage progress toward improved stewardship of public forest and range resources. The Board published three bulletins this year.

BOARD BULLETIN, VOLUME 14 – PROFESSIONAL RELIANCE IN BC FORESTS: IS IT REALLY THE ISSUE?

This bulletin explores professional reliance in BC forest management, and suggests that perhaps too many expectations are being placed on it, detracting from a more important analysis and discussion of other elements in our provincial forest management framework. The Board also concludes that a higher level of transparency by professionals, licensees and government is required if the public is to be confident in the professional reliance approach.



BOARD BULLETIN, VOLUME 15 – PUBLIC INVOLVEMENT IN FOREST MANAGEMENT PLANNING IN BC

This bulletin explores an important component of a sound planning and management framework for forest management—a process for involving the public, First Nations and stakeholders. The Board notes that some licensees are not bridging the gap between what *Forest and Range Practices Act* requires and what the local public needs, and comments that the forest industry's social licence to operate depends on maintaining public goodwill, and that means transparent and open communication with the public.

BOARD BULLETIN, VOLUME 16 – BALANCING RISK ACROSS RESOURCE VALUES IN FOREST OPERATIONS

This bulletin explores risk management in BC forest operations, and suggests that the goal should be a forest management framework that provides sufficient checks and balances so that the risks to important resource values are always appropriately addressed and, as much as possible, that perceptions of bias and unfair process are avoided. The Board believes that beyond meeting legal requirements, the resulting decisions to balance practices on Crown land must be transparent, fair and reflect the public's risk-benefit preferences.

NEW RECOMMENDATIONS MADE

BRIDGE PLANNING, DESIGN AND CONSTRUCTION

Recommendation made: *The Board requests that the Joint Practices Board of the Association of BC Forest Professionals and the Association of Professional Engineers and Geoscientists of British Columbia advise it of the steps planned or taken to address the professional practice issues identified in this report by October 31, 2014.*

Response received: *Response not due as of March 31, 2014.*

NEW SPECIAL PROJECTS STARTED

MITIGATION OF BREACHES TO NATURAL RANGE BARRIERS

Concerns raised with the Board about impacts to natural range barriers have increased over the last five years, likely coinciding with the accelerated salvage harvesting of mountain pine beetle affected timber. This investigation will examine how major licensees and woodlot licence holders identify and commit to mitigating alteration of natural range barriers, and whether the range of mitigation approaches is reasonable.

A REVIEW OF FOREST STEWARDSHIP PLANS IN BC

It has been nine years since the first forest stewardship plan (FSP) was approved under the *Forest and Range Practices Act*, and over six years since the majority of licensees shifted to using FSPs to provide direction for their practices. A 2006 Board report examined a sample of early FSPs, highlighting shortcomings as a way to help improve subsequent FSPs. This investigation will act as a follow-up to assess whether subsequent FSPs have improved to meet the expectations set for them.

PENALTY DETERMINATIONS UNDER FOREST AND RANGE PRACTICES LEGISLATION

This report will provide information to the public, forest and range agreement holders and government officials about administrative penalties related to forest and range practices, including the size of penalties, statutory defences—such as due diligence—and the types of activity that give rise to penalties.

ARE ADMINISTRATIVE PENALTIES BEING USED APPROPRIATELY?

The Board believes that if administrative penalties are used appropriately, they are more likely to promote compliance. Appropriate use involves being fair, reasonable and transparent. The investigation will explore the extent that penalties may not have been fair, reasonable, or transparent and the reasons why.

APPEALS

In the period April 2013 to March 2014, there were 42 determinations (including remediation orders) made under the *Forest and Range Practices Act* and the *Wildfire Act*, 5 of which were appealed to the Forest Appeals Commission. Of the five appeals, the Board joined three. The Board also initiated one appeal and concluded another. An appeal the Board joined in 2012 is still in progress.

BABINE FOREST PRODUCTS LTD.

In 2011, the Board joined an appeal by Babine Forest Products Ltd. The appeal was to be heard in July 2013, but the Board withdrew. A settlement was reached after the Board's withdrawal.

The appeal concerned the district manager's refusal to approve Babine's amendment to its forest stewardship plan (FSP) because the result or strategy outlined in the FSP was not consistent with the *Forest and Range Practices Act* (FRPA) objective for visual quality. The Board took the position that the district manager was correct in refusing to approve the amendment because Babine's FSP did not propose a result or strategy that conformed to the definitions, which say it must be measurable or verifiable, and it must describe the situations and circumstances that determine where it applies.

The Board was concerned with the correct interpretation of FRPA's approval test, focusing on the scope of the minister's discretion to approve an FSP. The Board addressed the meaning of being "consistent to the extent practicable" with an objective—in this case the visual quality objective—and the meaning of balancing objectives, results, strategies and other plan content, among other things.

At the hearing, but before evidence was heard, a settlement was reached based on revisions to the FSP that made the result or strategy more measurable and verifiable; but the Board concluded that it could not support the revisions, as they did not go far enough to improve the FSP. The main reason for the Board's involvement in the appeal—to argue the correct interpretation of the approval test and to get a ruling from the Commission on this point—was also lost; so rather than object to the settlement the Board withdrew, which enabled the Commission to make the consent order.

DOUGLAS LAKE CATTLE COMPANY

In December 2013, the Board initiated an appeal of a determination involving the Douglas Lake Cattle Company. The district manager determined that the company harvested and removed timber without authority and did not inform its contractor of the boundaries of the private land adjoining Crown land. As a result, there was partial loss of an old growth management area and a mule deer winter range. However, the company succeeded in proving the defence of due diligence, and so the district manager found that it did not contravene the *Forest and Range Practices Act* (FRPA).

In the appeal, the Board took the position that the company was not duly diligent because it did not take reasonable care to inform its logging contractor of the boundaries of private land and it did not oversee its contractor's activities in a manner commensurate with the resource values at risk. The Board argued that contravening FRPA had significant consequences for the government's forest management objectives and that a penalty should have been levied for the contraventions. The Commission's decision is expected in 2014.

BLACKLOCK AND INTERIOR ROADS LTD.

In March 2014, the Board joined the Blacklock and Interior Roads Ltd. appeals. These two appeals relate to a fire centre manager's decision that Wayne Blacklock and Interior Roads Ltd. contravened the *Wildfire Act* and the *Wildfire Regulation*. Mr. Blacklock, a contractor for Interior Roads Ltd., was found to have caused a fire while mowing the roadside. The fire was allegedly caused by a spark from a mower blade hitting a rock. The manager determined that the government's costs of fire control were $456,378 and apportioned the costs 60 percent to Mr. Blacklock and 40 percent to Interior Roads Ltd.

The Board is taking the position that the *Wildfire Act* should be interpreted as giving the minister discretion to decide how much of the government's costs of fire control a person should be required to pay. The Board will argue that a person should not be required to pay all of the costs if the person is able to prove that the costs were not entirely the result of his or her actions, or that the government's actions contributed to the costs.

STELLA-JONES CANADA INC.

In March 2014, the Board joined the Stella-Jones Canada Inc. appeal. This appeal relates to a decision rejecting a free-growing declaration made by the company. The decision-maker found the survey evidence to be contradictory and, for this reason, could not decide with certainty whether a free-growing stand had been achieved. The decision-maker rejected the declaration, but said that he would conduct his own survey before making a final decision. The Board is taking the position that a decision-maker should be able to conduct a survey, if one is needed, in order to resolve uncertainty and make the best forest management decision.

COMMUNICATION

130 Likes on Facebook **221 Followers** on Twitter **13 Speaking** engagements, attended **33 events** (including conferences, AGMs) **2 Newsletters** and **28 Reports** published **28,476 website visitors** of which, **12,376** were **unique** visitors **56.5% new** visitors **43.5% returning** visitors **27 News Releases** issued **32 Media Interviews** and **94 Media Stories** (print, broadcast and online coverage)

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6. **Board Member Bios**
7. **News Release - Forest Road and Bridge Special Report (Feb 2013)**
8. Contact
9. FPB Profile
10. Reports in Progress

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1. Bridge Planning, Design and Construction (special investigation)
2. Forest Planning and Development near Begbie Falls (complaint investigation)
3. Harvesting, Planning and Practices in the Hunaker Creek Watershed (complaint investigation)
4. 2012/13 Annual Report
5. Cumulative Effects: From Assessment Towards Management (special report)
6. Logging and Lakeshore Management near Vanderhoof (complaint investigation)
7. Audit of BCTS and Timber Sale Licence Holders – Strait of Georgia Business Area, Campbell River District
8. Road and Bridge Practices – Board Audit Findings 2005 – 2011 (special report)
9. Monitoring Licensees' Compliance with Legislation (special investigation)
10. Harvesting near a Recreational Trail (complaint investigation)

REPORTS PUBLISHED

1. CLOSING LETTER: Tyaughton Lake Logging – May 2013
2. BCTS and Timber Sale Licence Holders, Stuart-Nechako Business Area, Fort St. James District – May 2013
3. Cassiar Forest Corporation and Coast Mountain Hydro Corporation in the Skeena-Stikine District – Jun 2014
4. Bulletin 014 – Professional Reliance in BC Forests: Is it really the issue? – Jun 2013
5. Bulletin 015 – Public Involvement in Forest Management Planning in BC – Jul 2013
6. Logging Near Habitat for Mountain Goats and Spotted Owl in the Chilliwack River Valley – Jul 2013
7. Monitoring Licensees' Compliance with Legislation – Jul 2013
8. Eye on BC Forests, Issue 9, Summer 2013
9. McBride Community Forest Corp – Community Forest Agreement K1H in the Prince George District; Audit of Forest Planning and Practices – Sept 2013
10. 2012/13 Annual Report – Oct 2013
11. BC Hydro and Power Authority Occupant Licences to Cut; Audit of Fire Protection Practices – Nov 2013
12. Forest Planning and Development Near Begbie Falls – Nov 2013
13. Ka-Bar Resources Limited Forest Licences to Cut A83972, A83973, A85053, A88605-A88610 in the Cascades District; Audit of Forest Plannning and Practices – Nov 2013
14. Ndazkhot'en Forest Management Ltd. – FLs A65926 and A81934 in the Quesnel District; Audit of Forest Planning and Practices – Dec 2013
15. Harvesting Near a Recreational Trail on the Sunshine Coast – Dec 2013
16. South Island District Woodlots – Woodlot Licences W0011, W0020, W1479, W1526, W1713, W1902, W1903, W1906, Audit of Forest Planning and Practices – Dec 2013
17. Western Forest Products Inc. – TFL 39 Block 1 in the Sunshine Coast District; Audit of Forest Planning and Practices – Dec 2013
18. Eye on BC Forests, Issue 10, Winter 2013-14
19. Harvest Planning and Practices in the Hunaker Creek Watershed – Jan 2014
20. Closing Letter – Bernstorff Spring – Feb 2014
21. BCTS and Timber Sale Licence Holders – Skeena Business Area in the Coast Mountains Resource District; Forestry Audit – Feb 2014
22. Woodlot Licence W1632 in the South Island District; Audit of Forest Planning and Practices – Feb 2014
23. Bridge Planning, Design and Construction – Mar 2014
24. Woodlot Licence W0033 in the South Island District; Audit of Forest Planning and Practices – Mar 2014
25. BCTS and Timber Sale Licence Holders – Prince George Business Area in the Prince George District; Forestry Audit – Mar 2014
26. Management of Karst Resource Features on Northern Vancouver Island – Mar 2014
27. Timber Harvesting in Beetle-Affected Areas – Is it meeting government's expectations? – Mar 2014
28. Bulletin 016 – Balancing Risk Across Resource Values in Forest Operations – Mar 2014

FINANCIAL REPORT

	Board Members & Executive	Complaint Investigations	Audits	Legal	Special Projects & Communications	Administration & Overhead	TOTAL
Salaries & Benefits	372,502	597,128	560,066	344,843	311,178	226,897	2,412,614
Other Operating Costs	128,339	130,862	441,005	3,502	36,763	655,653	1,396,124
Total Operating Expenditures	500,841	727,990	1,001,071	348,345	347,941	882,550	3,808,738
Total Capital Expenditures	-	-	-	-	-	-	
Total Expenditures	500,841	727,990	1,001,071	348,345	347,941	882,550	3,808,738
Budget							3,815,000

Notes:

1. "Board Members and Executive" expenditures cover those of the Chair of the Board, the part-time Board members, the office of the Executive Director, and staff providing direct support to the Board members.
2. "Legal" expenditures covers legal advice on all files of the Board, including review and appeals.
3. "Administration and Overhead" includes building occupancy charges, amortization, software licensing, centralized support charges, and salaries associated with support for corporate services and information systems.

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